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PTO/SB/05 (03-01)
Approved for use through 10/31/2002 OMB 0651-0032

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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

| | |
|------------------------|------------------------------------|
| Attorney Docket No. | G0215 |
| First Inventor | Khoi A. Phan, et al. |
| Title | MODEL BASED METAL OVERETCH CONTROL |
| Express Mail Label No. | EL798605541US |

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. Applicant claims small entity status.
See 37 CFR 1.27.
3. Specification [Total Pages 22]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. Drawing(s) (35 U.S.C. 113) [Total Sheets 12]
5. Oath or Declaration [Total Pages 3]
 - a. Newly executed (original or copy)
 - b. Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 18 completed)
 - i. **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. paper
 - c. Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. Assignment Papers (cover sheet & document(s))
10. 37 CFR 3.73(b) Statement
(when there is an assignee) Power of Attorney
11. English Translation Document (if applicable)
12. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations
13. Preliminary Amendment
14. Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. Other: Express Mail Certificate.

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation Divisional Continuation-in-part (CIP) of prior application No.: _____

Prior application information. Examiner _____

Group Art Unit. _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

| | | | | | |
|--|---|-----------|--------------|-----------------------------------|---|
| <input type="checkbox"/> Customer Number or Bar Code Label | (Insert Customer No. or Attach bar code label here) | | | <input type="checkbox"/> or | <input type="checkbox"/> Correspondence address below |
| Name | Himanshu S. Amin | | | | |
| Address | Amin & Turocy, LLP | | | | |
| | 1900 E. 9th Street, 24th Floor, National City Center | | | | |
| City | Cleveland | State | Ohio | Zip Code | 44114 |
| Country | | Telephone | 216-696-8730 | Fax | 216-696-8731 |
| Name (Print/Type) | Himanshu S. Amin | | | Registration No. (Attorney/Agent) | 40,894 |
| Signature |  | | | Date | December 12, 2001 |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision

TOTAL AMOUNT OF PAYMENT (\$ 1,038.00)

Complete if Known

| | |
|----------------------|----------------------|
| Application Number | |
| Filing Date | |
| First Named Inventor | Khoi A. Phan, et al. |
| Examiner Name | |
| Group Art Unit | |
| Attorney Docket No. | G0215 |

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 50-1063

Deposit Account Name Amin & Turocy, LLP

 Charge Any Additional Fee Required

Under 37 CFR 1.16 and 1.17

 Applicant claims small entity status.

See 37 CFR 1.27

2. Payment Enclosed:

 Check Credit card Money Order Other

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Fee Code (\$) | Large Entity Fee | Small Entity Fee | Fee Description | Fee Paid |
|---------------------------|------------------|------------------|---|----------|
| 105 | 130 | 205 | 65 Surcharge - late filing fee or oath | |
| 127 | 50 | 227 | 25 Surcharge - late provisional filing fee or cover sheet | |
| 139 | 130 | 139 | 130 Non-English specification | |
| 147 | 2,520 | 147 | 2,520 For filing a request for <i>ex parte</i> reexamination | |
| 112 | 920* | 112 | 920* Requesting publication of SIR prior to Examiner action | |
| 113 | 1,840* | 113 | 1,840* Requesting publication of SIR after Examiner action | |
| 115 | 110 | 215 | 55 Extension for reply within first month | |
| 116 | 400 | 216 | 200 Extension for reply within second month | |
| 117 | 920 | 217 | 460 Extension for reply within third month | |
| 118 | 1,440 | 218 | 720 Extension for reply within fourth month | |
| 128 | 1,960 | 228 | 980 Extension for reply within fifth month | |
| 119 | 320 | 219 | 160 Notice of Appeal | |
| 120 | 320 | 220 | 160 Filing a brief in support of an appeal | |
| 121 | 280 | 221 | 140 Request for oral hearing | |
| 138 | 1,510 | 138 | 1,510 Petition to institute a public use proceeding | |
| 140 | 110 | 240 | 55 Petition to revive - unavoidable | |
| 141 | 1,280 | 241 | 640 Petition to revive - unintentional | |
| 142 | 1,280 | 242 | 640 Utility issue fee (or reissue) | |
| 143 | 460 | 243 | 230 Design issue fee | |
| 144 | 620 | 244 | 310 Plant issue fee | |
| 122 | 130 | 122 | 130 Petitions to the Commissioner | |
| 123 | 50 | 123 | 50 Processing fee under 37 CFR 1.17(q) | |
| 126 | 180 | 126 | 180 Submission of Information Disclosure Stmt | |
| 581 | 40 | 581 | 40 Recording each patent assignment per property (times number of properties) | 40.00 |
| 146 | 740 | 246 | 370 Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 149 | 740 | 249 | 370 For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 179 | 740 | 279 | 370 Request for Continued Examination (RCE) | |
| 169 | 900 | 169 | 900 Request for expedited examination of a design application | |
| Other fee (specify) _____ | | | | |

SUBTOTAL (1) (\$ 740.00)

2. EXTRA CLAIM FEES

| Total Claims | Extra Claims | Fee from below | Fee Paid |
|----------------------|--------------|------------------|----------|
| 25 | -20** = 5 | x 18.00 = 90.00 | |
| Independent Claims 5 | - 3*** = 2 | x 84.00 = 168.00 | |
| Multiple Dependent | | | |

SUBTOTAL (2) (\$ 258.00)

**or number previously paid, if greater, For Reissues, see above

*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$ 40.00)

SUBMITTED BY

| | | | | | |
|-------------------|---|----------------------------------|--------|-----------|-------------------|
| Name (Print/Type) | Himanshu S. Amin | Registration No (Attorney/Agent) | 40,894 | Telephone | 216.696.8730 |
| Signature |  | | | Date | December 12, 2001 |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement This form is estimated to take 0 2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO Assistant Commissioner for Patents, Washington, DC 20231.

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**REQUEST AND CERTIFICATION
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

| | |
|----------------------|---------------------------------------|
| First Named Inventor | Khoi A. Phan, et al. |
| Title | MODEL BASED METAL OVERSTRETCH CONTROL |
| Atty Docket Number | G0215 |

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

December 12, 2001

Date



Signature

Himanshu S. Amin (Reg. No. 40,894)

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement. This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.